

REMARKS/ARGUMENTS

The Applicant thanks the Examiner for the Office Action, made final, dated December 15, 2004.

AMENDMENTS

In response to the Examiner's objection under § 112, a sentence has been added to page 73, line 18. This sentence makes it explicitly clear that the netpage system (of which the disclosed purchasing method makes use) comprises a netpage pen which interacts with netpage forms. Basis for this amendment can be found at page 11, lines 3-27 in conjunction with page 73, lines 16-18 of the description.

The term "at least one reference point" has been replaced with the term "a plurality of mapped locations" in claims 1, 4, 5, 29, 32, 33 and 49. Basis for this amendment can be found on page 11, lines 10-13 of the description.

Page 1 of the specification has been accurately updated with the corresponding patent application/granted patents.

It is submitted that these amendments do not add subject-matter to the application, as filed.

CLAIM REJECTIONS - 35 USC § 112

1. Enablement Requirement

The Applicant maintains that the claimed subject-matter is enabled by the specification as a whole.

It appears that the Examiner is unwilling to make a cognitive connection between the general description of the netpage system on pages 11-73, and the specific application of the netpage system, as it applies to a purchasing method, on pages 73-81 of the specification. It is submitted that enablement is required with the respect to the specification as a whole, not one specific section of the specification highlighted by the Examiner. It is further submitted that the skilled reader would naturally turn to the earlier part of the specification upon reading the term "netpage system" in the passage at page 73, lines 16-18, which states:

The netpage system provides efficient mechanisms for merchants to offer goods and services to customers to select and pay for those goods and services.

If the skilled reader required any further clarification of the term "netpage system", he would turn to any of the cross-referenced applications on page 1 of the description. In either event, the skilled reader would be able to understand that the netpage system involves a user interacting with a netpage form (or document) using a pen (or "sensing device"), in order to initiate an "action" in a computer system. In the case of the present application, the "action" is a purchasing transaction.

The Applicant considers the specification in its original form to be sufficiently enabling. However, in view of the Examiner's objection, a further explanatory sentence has been

added to page 73, which makes it explicitly clear that the purchasing transaction using the netpage system involves a user interacting with a suitable netpage form using a netpage pen.

2. Clarity

Claims 1, 4, 5, 29, 32, 33 and 49 specify a method of "purchasing via an interactive form". The claims define the invention, not the description. The Applicant considers it irrelevant that certain parts of the description refer to online interactions.

The purpose of the description is to provide a context for the claimed invention and to enable the skilled person to repeat the invention. Online interactions, described on page 77, lines 10-18 and page 79, may be used optionally in combination with the claimed method. However, these optional online features are not crucial to the invention and, moreover, it is clear that the description is not a list of essential features of the invention (see page 80, lines 23-24 of the description). The fact that optional online features are not being presently claimed does not detract from the clarity of the claims. It is certainly true of the majority of patents in existence that the description contains optional features that are not claimed. It is submitted that this relationship between the claims and the description is well understood by the skilled reader and does not give rise to any lack of clarity.

3. Essential Steps

In deference to the Examiner's objection, independent method claims 1, 4 and 5 now specify that the form is printed using a computer system and that the computer system stores the identity of the form and a map of the locations. It is submitted that the claims contain all the essential steps of the invention.

CLAIM REJECTIONS - 35 USC § 102

The Applicant contests the Examiner's assertion that the features of claim 1 are described in Buckley *et al.* (US 6,446,871).

The Applicant maintains that in the presently claimed method, the data received by the computer system contains data relating to the position of the pen relative to the form (*i.e.* position coordinates). The position coordinates are received by virtue of the plurality of mapped locations on the form. A significant advantage of this method is that the same pen can be used to perform an almost limitless number of tasks, making it extremely versatile. The computer system can initiate any type of action once it knows the document with which the pen is interacting and the position of the pen relative to the document. The pen is not required to store absolute data values specific to a particular task and does not, therefore, need to have a memory adapted for storing specific data types.

Buckley (US 6,446,871)

Buckley fails to describe a method or a system, wherein position coordinate data is sensed by the pen and received by a computer system. This is because Buckley fails to describe coded data, which is indicative of a plurality of mapped locations on a form. In Buckley, the pen reads and stores a unique code, such as a bar code, identifying an article. This is explained at column 4, lines 49-52 of Buckley, where it is stated:

A reader interested in obtaining additional information concerning the subject matter of the article or advertisement utilizes a code reader contained in an instrument such as a pen to read and store a unique code identifying the article.

The pen in Buckley cannot provide any data regarding its position relative to the page, because it is not interacting with mapped locations on the page. Furthermore, in Buckley, the computer system does not store a map of these locations. Accordingly, it is submitted that the present invention is not anticipated by the disclosure of Buckley.

CLAIM REJECTIONS - 35 USC § 103

The Examiner's objections of obviousness relate to features specified in the dependent claims. The Applicant submits that the independent claims are not obvious, because all independent claims specify that the indicating data received by the computer system comprises data regarding the position of the sensing device relative to the form. As explained above, none of the cited prior art teaches or suggests a method or system whereby a sensing devices senses its *position* on a form and transmits this information to a computer system. Accordingly, it is submitted that claim 1 and all claims dependent thereon are not obvious in view of the cited prior art.

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

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